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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA                   :  
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LAYNE BRACHT                                   :

**CRIMINAL COMPLAINT**  
  
Mag. No. 06-8204 (MCA)

I, Lucille M. Pezzullo, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about June 29, 2006, in Monmouth County, in the District of New Jersey, and elsewhere, defendant LAYNE BRACHT did:

knowingly and wilfully possess material which contained at least three images of child pornography, as defined in 18 U.S.C. § 2256, which were shipped and transported in interstate and foreign commerce, including by computer, and were produced using materials that were shipped and transported in interstate and foreign commerce, including by computer,

in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

I further state that I am a Special Agent for United States Immigration and Customs Enforcement, and that this complaint is based on the following facts:

SEE ATTACHMENT A

continued on the attached page and made a part hereof.

Sworn to before me and subscribed in my presence,  
October 17, 2006 at Newark, New Jersey

HONORABLE MADELINE COX ARLEO  
UNITED STATES MAGISTRATE JUDGE

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Lucille M. Pezzullo, Special Agent  
Department of Homeland Security  
Immigration and Customs Enforcement

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Signature of Judicial Officer

## ATTACHMENT A

I, Lucille M. Pezzullo, a Special Agent with United States Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), having conducted an investigation and discussed this matter with other law enforcement officers who have participated in this investigation, have knowledge of the following facts:

1. On or about June 29, 2006, law enforcement officers conducted a search of 206 Morganville Road, Matawan, New Jersey, the residence of defendant Layne Bracht (hereinafter "defendant BRACHT").

2. On or about June 29, 2006, law enforcement officers reviewed the contents of defendant BRACHT's computer hard drive which had been found in defendant BRACHT's residence. Among the files on the hard drive, which was manufactured in Thailand, were more than one hundred (100) images of what appear to be child pornography, as defined by Title 18, United States Code, Section 2256(8). Three of the images, which were found on defendant BRACHT's computer hard drive, are described as follows:

- a. **Image Number One:** This image depicts a prepubescent female engaged in sexual conduct with a pubescent male. The prepubescent female is visible from the waist up and appears to be fully nude. The erect penis and the left knee of the pubescent male are visible. The prepubescent female, whose face is visible, is standing on a bath mat in front of a bathtub filled with water, and the pubescent male is standing and facing the prepubescent female. The prepubescent female has both hands placed on the erect penis of the pubescent male, which is at the eye level of the prepubescent female.
- b. **Image Number Two:** This image depicts a prepubescent female engaged in sexual intercourse with a pubescent male. The female is nude and visible from the waist to her upper thigh. She is lying on her back on a multi-colored surface, and her legs are parted out to the sides. The male is seated between the legs of the female, his upper thighs are partially visible along with his erect penis. The erect penis of the pubescent male is inserted into the anus of the prepubescent female.
- c. **Image Number Three:** This image depicts a prepubescent female performing fellatio on an adult male. The female is fully nude and is visible from her head to her knees. Both of her hands are placed on the adult male's erect penis. The torso of the adult male is visible and he is fully nude. The left hand of the adult male is placed on top of the head of the female.

3. Based upon my training and experience, and to the best of my knowledge, the images described in paragraphs 2a through 2c above, were downloaded from the Internet, based upon, among other things, defendant BRACHT's own statements.

4. On or about June 29, 2006, law enforcement agents interviewed defendant BRACHT who stated, in substance and in part, that a) he had purchased and downloaded images of child pornography from the Internet to the hard drive of his computer; b) that he believed that the images of child pornography he had viewed depicted actual children; and c) that he e-mailed images of child pornography he possessed to another individual.